



SCHOOL BUS, INC.

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DEPARTMENT OF EDUCATION "POINT OF CONTACT" **JANUARY 2007 NEWSLETTER**

SOUTH DAKOTA SCHOOL TRANSPORTATION ASSOCIATION MEETING

January 6, 2007

The annual meeting of the SDSTA will be held in Ft. Pierre at the Pizza Ranch meeting room. The meeting will start at 10:30 AM CDT. The following is the proposed agenda:

Presentations by:

Dr. Rick Melmer- SD Secretary of Education

Topic: School bus Standards requirements and new rule proposals.

Questions and Answers

Cal Erharts—CDL Third Party Examiner

Topic: New CDL testing requirements

Jim Shafer

Topic: school bus standards revisions

LUNCH

1:00 PM

Approval of Minutes

-
1. Treasurers Report
 2. Old Business
 3. New Business
 - a. date and location of summer meeting
 - b. program committee
 - c. Bus Driver of the Year and Bus Driver Retirement recognition committee
 - d. adjournment

DIRECTORS MEETING:

1. Approval of Minutes
2. Old Business
3. New Business

Adjournment

SOUTH DAKOTA STATE BOARD OF EDUCATION PUBLIC HEARING

January 22, 2007

Board members will hear public comments on the following items concerning the proposed rule changes related to school buses in South Dakota. The South Dakota School Transportation Association proposed the items noted below. These items are scheduled to be discussed after the noon meal break on 1/22/07.

- Any person driving a vehicle meeting the definition of a school bus will need a commercial driver's license (CDL).
- Any vehicle meeting the definition of a school bus will not be allowed to tow any type of trailer or vehicle with passengers on the bus.

- Any person driving a vehicle that meets the definition of a school bus, school activity bus, or any vehicle with a capacity of 10 passengers or more involved with school-related activities will be required to follow the Federal Motor Carriers Safety Association's Hours of Service Part 390.23 and Part 395. This is currently a state law. SDCL 49-28A-3.

NTSB RECOMMENDS BAN ON CELL PHONE USE BY BUS DRIVERS

By Shelly Jonas

In a final report on a motor coach accident in Virginia, the National Safety Board urged the federal and state governments to prohibit motor coach and school bus drivers from using cell phones while driving those vehicles, except in emergencies.

Professional drivers who have dozens of passengers' lives entrusted to them should devote their full attention to their task, "NTSB Chairman Mark V. Rosenker said."

The recommendations are contained in the Board's report on a non-fatal bus accident that occurred November 14, 2004, on the George Washington Parkway in Alexander, Virginia. There were signs warning of the 10-foot, 2-inch clearance for that lane and the 13-foot, 4-inch clearance for the left lane. The bus was 12 feet high. During the impact the bus' roof was destroyed and 11 students were injured, one of them seriously. The driver had been talking on a hands-free cell phone at the time of the accident, and he said that he saw neither of the warning signs nor the bridge itself before the impact. Evidence indicates that he did not apply any brakes before impacting the bridge.

The Safety Board concluded that the driver's cognitive distraction resulting from his use of a hands-free cell phone caused the accident. The use of either a hand-held or hands-free cellular telephone while driving can impair the performance of even a Commercial Drivers License (CDL) holder, such as the driver of the accident, the Board said.

"Payment for transportation services creates an implicit contract between the passenger and the carrier, that the carrier will transport the passenger safely and not allow the vehicle operator to take unnecessary risks," the Board stated in its report. "Consequently, these drivers have a special obligation to provide the safest driving environment possible for the passengers in their care."

The Board recommended that the Federal Motor Carrier Safety Administration and the 50 States and District of Columbia prohibit CDL holders with a passenger-carrying or school bus endorsement from using cell phones while driving those vehicles, except in emergencies. The Board also recommended that the bus associations develop formal policies for their members containing the same proscriptions.

In its report, the NTSB also found that the low vertical clearance of the bridge, which does not meet current standards, contributed to the accident.

The NTSB Releases it's Most Wanted Safety Improvements For 2007

The National Transportation Safety Board has released its annual list of critical changes that need to be made to reduce accidents and save lives. Among the recommendations needed by the Federal Agencies are:

Federal Motor Carrier Safety Administrator should act to:

Improve the Safety of Motor Carrier Operations

*Prevent motor carriers from operating if they put vehicles with mechanical problems on the road or unqualified drivers behind the wheel.

Prevent Medically Unqualified Drivers from Operating Commercial Vehicles

*Establish a comprehensive medical oversight program for interstate commercial drivers.

*Ensure that examiners are qualified and know what to look for.

*Track all medical certificate applications.

*Enhance oversight and enforcement of invalid certificates.

The progress of the above listed recommendations was listed as unacceptable.

Enhanced Protection for Motor coach Passengers

*Redesign motor coach window emergency exits so passengers can easily open them.

*Issue standards for stronger bus roofs and require them in new motor coaches.

*Devise new standards to protect motor coach passengers from being thrown out of their seats or ejected when a bus sustains a front, side or rear impact or roll over.

Enhance Protection for School Bus Passengers

*Devise new standards to protect school bus passengers from being thrown out of their seats or ejected when a school bus sustains a front, side or rear impact or roll over.

The progress of the NHTSA was listed as acceptable, but progressing slowly.

The U.S. Department of Transportation should act to:

Reduce Accidents and Incidents Caused by Human Fatigue

*Set working hour limits for transportation operators based on fatigue research, circadian rhythms, and sleep and rest requirements.

Action needed by the states were to:

Improve Child Occupant Protection

- *Enact state laws requiring booster seats for younger children.

Enact Primary Seat Belt Enforcement Laws

- *Increase the number of people who wear seat belts through stronger enforcement laws.

Promote Youth Highway Safety

- *Enact graduated driver-licensing legislation.
- *Restrict the number of teen passengers traveling with young novice drivers.
- *Prohibit use of wireless communication devices by young novice drivers.

Eliminate Hard Core Drinking and Driving

- *Enact State legislation and take other actions that are proven to reduce crashes involving those who repeatedly drink large amounts of alcohol and drive including:
 - *Frequent, statewide sobriety checkpoints.
 - *Legislation to create stricter sanctions for those arrested the first time with a high blood alcohol concentration (≥ 0.15 Bac.).
 - *Zero blood alcohol requirements for convicted DWI offenders when they get their license back.
 - *Administrative rather than court-based license revocation for refusing to take or failing the sobriety test.
 - *Vehicle sanctions for DWI offenders.
 - *Eliminate plea-bargaining DWI offenses and programs that divert offenders and purge the offense record.
 - *Retain DWI offense records (to identify and prosecute repeat offenders) for at least 10 years.
 - *Develop and operate special sanction (court-based) programs for hard core DWI offenders.

Improve School Bus/Grade Crossing Safety

- *Install stop signs at passive crossings.
- *Prioritize for upgrade to lights and gates, crossing that the school buses traverse that now only have warning lights.
- *Install noise reducing switches on new buses.
- *Enhance bus driver training and evaluation.
- *Include grade crossing questions on CDL exams.

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